

SENATE BILL 304

By Ketron

AN ACT to amend Tennessee Code Annotated, Section 68-104-112 and Section 68-104-114, relative to fireworks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-104-112, is amended by deleting subdivision (a)(1) and substituting instead the following:

(1) It is an offense to offer for retail sale or to sell any Class C common fireworks to any person under sixteen (16) years of age or to any intoxicated or irresponsible person. Any person sixteen (16) or seventeen (17) years of age who wishes to purchase Class C common fireworks shall prove that person's age to the retailer by presenting a state or federal government issued photo identification or be accompanied by an adult. A violation of this subdivision (a)(1) is a Class B misdemeanor punishable by a fine to the retailer of up to five hundred dollars (\$500) for the first offense, a fine of up to one thousand dollars (\$1,000) for the second offense, and a fine of up to one thousand dollars (\$1,000) and a suspension of the retail permit for up to one (1) year for third and subsequent offenses. A municipality may adopt an ordinance that mirrors, substantially duplicates or incorporates by cross-reference the language of this subdivision (a)(1).

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.